

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

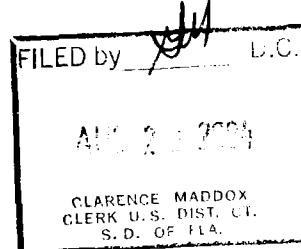
CASE NO: 00-6293-CR-HUCK

Plaintiff,

vs.

JAMES ALCE,
Reg. No. 55494-004,
DOB: 3/23/82

Defendant.



JUDGMENT AND COMMITMENT
UPON REVOCATION OF SUPERVISED RELEASE
(for Offenses Committed on or after November 1, 1987)

It appearing to the Court that on August 10, 2001, the Defendant was sentenced in the Southern District of Florida, Miami Division, to a term of thirty-three (33) months imprisonment followed by three (3) years of supervised release. The Defendant admitted guilt to having violated conditions of supervision.

The Defendant having now been duly brought before this Court for hearing on August 20, 2004, upon the Petition of the Probation Officer for Revocation, and it further appearing that the Defendant violated his conditions of supervised release by:

- 1) Failing to refrain from violation of the law. On or about October 4, 2003, in Fort Lauderdale, Florida, the defendant was arrested by the Fort Lauderdale Police Department and charged with possession of cocaine, contrary to Florida Statute 893.13.
- 2) Unlawfully possessing a controlled substance. On or about October 4, 2003, the defendant possessed cocaine, as evidenced by his arrest by the Fort Lauderdale Police Department on October 4, 2003.
- 3) Failing to notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer. On or about October 4, 2003, the defendant was arrested by the Fort Lauderdale Police Department and failed to advise the U.S. Probation Officer until October 10, 2003.

*2860
JL*

4) Failing to follow the instructions of the probation officer. On June 18, 2004, the defendant was instructed to report to the U.S. Probation Office on Mondays and Thursdays for urine testing and the defendant failed to report on June 28, 2004 and July 1, 12, and 15, 2004.

5) Failing to notify the probation officer of a change in employment. On or about September 3, 2003, the defendant left employment with Sweet Tomatoes and failed to notify the probation officer until October 8, 2003.

6) Unlawfully possessing or using a controlled substance. On or about June 18, 2004, the defendant submitted a urine specimen which tested positive for the presence of cocaine and marijuana in our local laboratory and was subsequently confirmed positive by Scientific Testing Laboratories, Inc. Furthermore, the defendant admitted to said use.

The Defendant voluntarily admitted to having violated his conditions of supervision. The Court having made a finding that the defendant has violated his conditions of supervised release and upon stipulation by the parties, it is therefore

ORDERED AND ADJUDGED that the supervised release term heretofore imposed be and the same is hereby **revoked**, it being further

ORDERED AND ADJUDGED that the defendant is hereby committed to the custody of the Bureau of Prisons for a term of **five (5) months**. No supervised release shall be imposed upon the defendant's release from imprisonment.

ORDERED AND ADJUDGED that the defendant is remanded to the custody of the United States Marshal Service.

DONE AND ORDERED at Miami, Florida this 20^a day of August, 2004.



PAUL C. HUCK
UNITED STATES DISTRICT JUDGE

cc: Lynn Rosenthal, AUSA
Michael Spivack, AFPD
Albert Torres, U.S. Probation Officer
U.S. Marshals Service (3 certified)